

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

PUBLI-INVERSIONES DE PUERTO RICO,  
D/B/A EL VOCERO DE PUERTO RICO

Employer

and

Case 12-RD-221192

NOEMI MERCED

Petitioner

and

UNION DE PERIODISTAS, ARTES GRAFICAS  
Y RAMAS ANEXAS, LOCAL 33225

Union

ORDER

The Petitioner's and Employer's Requests for Review of the Regional Director's Decision to Dismiss and Corrected Decision to Dismiss are denied as they raises no substantial issues warranting review.<sup>1</sup> The Petitioner's request for extraordinary relief is denied as moot.

JOHN F. RING, CHAIRMAN

LAUREN McFERRAN, MEMBER

MARVIN E. KAPLAN, MEMBER

Dated, Washington, D.C., August 8, 2018

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<sup>1</sup> In denying review, we note that the Regional Director did not, in either the Decision to Dismiss or Corrected Decision to Dismiss, invoke the successor bar doctrine. Instead, he relied upon the fact that the Employer was subject to an affirmative bargaining order requiring that it bargain in good faith with the Union for a reasonable period of time. Under *Lee Lumber and Building Material Corp.*, 334 NLRB 399 (2001), enfd. 310 F.3d 209 (D.C. Cir. 2002), that period had clearly not elapsed at the time the instant petition was filed. We further reject any implication that the Regional Director acted improperly by issuing the Corrected Decision to Dismiss.

In addition, we clarify that the Union's original opposition was in fact timely filed on July 9, 2018. The Union attempted to file the opposition on Friday, July 6 but was unable to do so due to technical issues with the Board's website. The website at that time indicated that filings due on July 6 would be accepted on Monday, July 9.